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5 *Attorney for Central Garden & Pet Company*

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7 **UNITED STATES DISTRICT COURT**
8
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 **CENTRAL GARDEN & PET**
COMPANY,

11 a Delaware Corporation

12 Plaintiff,

13 v.

14 **CARLSON MORGAN, LLC,**

15 a California Limited Liability Company,

16 Defendant.

Case No. 4:15-cv-00609-JSW

**MOTION FOR ADMINISTRATIVE RELIEF TO
CONTINUE THE INITIAL CASE
MANAGEMENT CONFERENCE AND RELATED
DATES; DECLARATION OF PAUL W. REIDL IN
SUPPORT THEREOF [Local Rules 6-3, 7-11]**

17 Pursuant to Local Rules 6-3 and 7-11, Plaintiff hereby moves the Court to continue the Case
18 Management Conference and the scheduled dates indefinitely. The Clerk has entered a default against
19 Defendant. Plaintiff anticipates filing a motion for default judgment within the next thirty (30 days).
20 Since Defendant has not defended the case, a Case Management Plan and Conference is unnecessary.
21 For these reasons and as set forth in the following Declaration, Plaintiff respectfully requests that the
22 motion be granted and the deadlines be continued indefinitely.

23 MOTION TO CONTINUE THE
24 INITIAL CASE MANAGEMENT
CONFERENCE AND RELATED
DATES

Respectfully submitted,

LAW OFFICE OF PAUL W. REIDL

By: 

Dated: April 28, 2015

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DECLARATION OF PAUL W. REIDL

1. I am an attorney at law duly admitted to practice before this Court. I represent the Plaintiff, Central Garden & Pet Company in this action. I have personal knowledge of the matters testified to herein.

2. The Defendant is a sole proprietorship in Modesto, California. Service was delayed because he was never available at his business address. Shortly after Defendant was served, its principal called the undersigned and said that he would not be defending the case because he could not afford counsel. Subsequent e-mails and telephone calls to Defendant's principal have not been returned.

3. The reason for continuing the dates is that Defendant is in default and Plaintiff intends to file a motion for default judgment. Under these circumstances, there is no need to prepare and hold a hearing on a Case Management Plan.

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MOTION TO CONTINUE THE
INITIAL CASE MANAGEMENT
CONFERENCE AND RELATED
DATES

[PROPOSED] ORDER

Based on the foregoing memorandum supporting declaration, and good cause being shown, IT IS HEREBY ORDERED that the Initial Case Management Conference scheduled for 11:00 AM on May 8, 2015 and the other deadlines set forth in the Court's February 10, 2015 Order Setting Initial Case Management Conference and ADR Deadlines are continued indefinitely. Plaintiff shall file a motion for default judgment within thirty (30 days) of the date of this Order.

Dated: _____

Jeffrey S. White
United States District Court Judge